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11 Attorneys for Plaintiff
12 FACEBOOK, INC.

13 UNITED STATES DISTRICT COURT
14 NORTHERN DISTRICT OF CALIFORNIA
15 SAN JOSE DIVISION
16

17 FACEBOOK, INC.,

18 Plaintiff,

19 v.

20 POWER VENTURES, INC. a Cayman Island
21 corporation, STEVE VACHANI, an individual;
DOE 1, s/b/a POWER.COM, DOES 2-25,
22 inclusive,

23 Defendants.
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Case No. 5:08-cv-05780-LHK

**DECLARATION OF MORVARID
METANAT IN SUPPORT OF
FACEBOOK INC.'S MOTION FOR
ADMINISTRATIVE RELIEF TO FILE
UNDER SEAL, PURSUANT TO LOCAL
RULE 79-5(C)**

Dept: Courtroom 8, 4th Floor
Judge: Hon. Judge Lucy H. Koh

1 I, Morvarid Metanat, declare:

2 1. I am an attorney with the law firm of Orrick, Herrington & Sutcliffe LLP and
3 counsel for Plaintiff Facebook, Inc. ("Facebook"). I make this declaration in support of
4 Facebook's Administrative Motion, pursuant to Civil Local Rule 79-5(c), to file under seal
5 portions of Facebook's Supplemental Memorandum of Points and Authorities in Support of
6 Request for Injunctive Relief ("Supplemental Memorandum"). I make this declaration based on
7 facts made known to me, unless otherwise stated.

8 2. Facebook has designated portions of the Declaration of Joseph Cutler in Support
9 of Facebook's Motion for Partial Summary Judgment for Liability under the CAN-SPAM Act
10 ("Cutler Declaration," Dkt. No. 213-2) as "Highly Confidential—Attorneys' Eyes Only,"
11 pursuant to the parties' February 4, 2011 Protective Order (Dkt. No. 95). These portions discuss
12 confidential and proprietary business information, including Perkins Coie's legal fees incurred as
13 a result of its investigation for Facebook. Both Facebook and Perkins have a business desire to
14 maintain the confidentiality of the legal fees Facebook incurred, as such information is
15 commercial sensitive.

16 3. On November 28, 2011, the Court granted Facebook's Motion to Seal portions of
17 the Cutler Declaration, and thus, all excerpts from, and references to, the sealed portions of the
18 Cutler Declaration should be filed under seal.

19 4. Facebook, therefore, requests that the following portion of Facebook's
20 Supplemental Memorandum be redacted for good cause:

- 21 • The monetary figure referenced at page 3, line 19.

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23
24 Dated: August 1, 2013

ORRICK, HERRINGTON & SUTCLIFFE LLP

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26 By: /s/ Morvarid Metanat
MORVARID METANAT
Attorneys for Plaintiff
27 FACEBOOK, INC.
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CERTIFICATE OF SERVICE

I hereby certify that the document(s) filed through the ECF system will be sent electronically to the registered participants as identified on the Notice of Electronic Filing (NEF) and paper copies will be sent to those indicated as non registered participants as follows:

By transmitting via electronic mail to the email addresses set forth below before 5:30 p.m. on August 1, 2013.

Steven Vachani (*Pro Per*)
Email: vachani@yahoo.com
2425B Channing, #216
Berkeley, CA 94704
Tel: (917) 267-8823

Dated: August 1, 2013

/s/ Morvarid Metanat
Morvarid Metanat